In the High Court of Punjab and Haryana, Chandigarh

C.W.P. No. 17912 of 2006

Date of Decision: 14.11.2006

Opinder Singh

…Petitioner

Versus

Union of India & others

…Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR

HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr. Dinesh Kumar Nagar, Advocate,
for the petitioner.

JUDGMENT

M.M. KUMAR, J. (Oral)

The prayer made in this petition is for quashing order dated 30.1.2002 (P-1) passed by respondent No. 5 discharging the petitioner from the Army on account of Low Medical Category. A further prayer has been made for quashing order dated 19.8.2006 (P-7) dismissing the appeal of the petitioner. Respondent No. 3 has declined to grant disability pension to the petitioner vide order dated 8.9.2003. Against the aforementioned order he has filed a representation/petition dated 20.7.2006 (P-6). The aforementioned representation has been adversely commented upon by respondent

No. 4 i.e. OIC Record and the petitioner has been advised to file a fresh appeal by adding an application for condonation of delay with full justification. However, the petitioner without approaching the respondents by filing an appeal as adviced, has rushed to this Court. Therefore, we dismiss the writ petition with liberty to the petitioner to avail the remedy as per the advice tendered by respondent No. 4 in the order dated 19.8.2006 (P-7).

(M.M. KUMAR)
JUDGE

(M.M.S. BEDI)
JUDGE

November 14, 2006
Pkapoor